

ATTORNEY/DOCKET NO.: MICH3006/FJD

**DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled:

**Method and apparatus for optimizing emission in pulse echo methods**

the specification of which (check one):

☐ is attached hereto, or ☒ was filed on: 19/06/2006 as U.S. Application Number 10/583,357 or PCT International Application Number:

and (if applicable) was amended on:

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in *Title 37, Code of Federal Regulations, §1.56*. I hereby claim foreign priority benefits under *Title 35, United States Code §119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)			PRIORITY CLAIMED	
Number	Country	Day/Month/Year Filed	Yes	No
DE	Germany	17/12/2003	X	

☐ Additional Priority Application(s) Listed on Following Page(s)

I HEREBY CLAIM THE BENEFIT UNDER TITLE 35 U.S. CODE §119 (E) OF ANY U.S. PROVISIONAL APPLICATIONS LISTED BELOW.	
Application Number	Day/Month/Year Filed

☐ Additional Provisional Application(s) Listed on Following Page(s)

I hereby claim the benefit under *Title 35, United States Code, §120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, §112*. I acknowledge the duty to disclose information which is material to patentability as defined in *Title 37, Code of Federal Regulations, §1.56* which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Number	Filing Date	Status - Patented, Pending or Abandoned
PCT/EP2004/053459	14/12/2004	Pending

Additional US/PCT Priority Application(s) listed on Following Page(s)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under *section 1001 of title 18 of the United States Code* and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application an 25.721; Joseph DeBenedictis, Reg. No. 28.502; Benjamin E. Urcia, Reg. No. 33.805; and

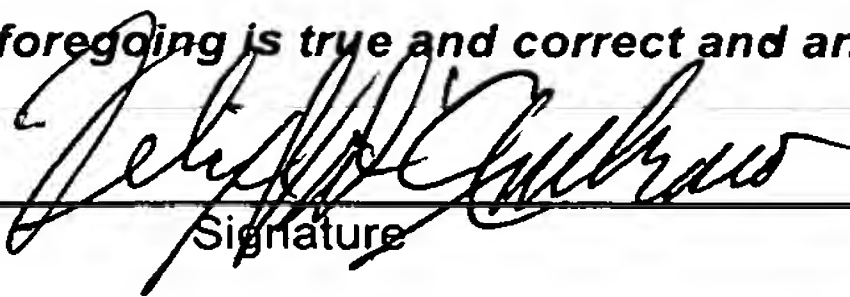
I(we) authorize my(our) attorneys to accept and follow instructions from \_\_\_\_\_ regarding any matter related to the preparation, examination, grant and maintenance of this application, any continuation, continuation-in-part or divisional based thereon, and any patent resulting therefrom, until I(we) or my(our) assigns withdraw this authorization in writing.

Send correspondence to: **BACON & THOMAS, PLLC**  
625 Slaters Lane - 4th Floor  
Alexandria, VA 22314-1176

Telephone Calls to: (703) 683-0500

FULL NAME OF FIRST OR SOLE INVENTOR <b>Bernhard MICHALSKI</b>	CITIZENSHIP <b>German</b>
RESIDENCE ADDRESS <b>Felix-Platterweg 5, D-79689 Maulburg, Germany</b>	POST OFFICE ADDRESS IS THE SAME AS RESIDENCE ADDRESS UNLESS OTHERWISE SHOWN BELOW
DATE <b>17.07.06</b>	SIGNATURE <i>Bernhard Michalski</i>

☐ See following page(s) for additional joint inventors.

B/O FORM PTO-1595 (Rev. 4/00)		U.S. Department of Commerce Patent and Trademark Office	
<b>RECORDATION FORM COVER SHEET PATENTS ONLY</b>			
<b>To the Commissioner for Patents. Please record the attached original documents or copies thereof.</b>			
<b>1. Name of Conveying Party(ies):</b> <p style="text-align: center;">Bernhard Michalski</p> <p><input type="checkbox"/> Additional names of conveying parties attached.</p>		<b>2. Name and Address of Receiving Party(ies):</b> <p>Name: Endress + Hauser GmbH + Co. KG</p> <p>Street Address: Hauptstrasse 1</p> <p>City, State, Zip Country, Postal Code: Maulburg, Germany 79689</p> <p><input type="checkbox"/> Additional name(s) and address(es) attached.</p>	
<b>3. Nature of Conveyance:</b> <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Assignment  <input type="checkbox"/> Security Agreement  <input type="checkbox"/> Other:         </div> <div> <input type="checkbox"/> Merger  <input type="checkbox"/> Change of Name         </div> </div> <p>Execution Date: July 17, 2006</p>		<b>4. (B) Patent Number(s):</b>  	
<b>4. (A) Patent Application Number(s):</b> <p style="text-align: center;">10/583,357</p> <p>If this document is being filed together with a new application, the execution date of the application is:</p> <p style="text-align: center;"><input type="checkbox"/> Additional Numbers Attached</p>			
<b>5. Name and Address of Party to whom Correspondence Concerning this Document Should be Mailed:</b> <p>Name: Felix J. D'Ambrosio</p> <p>Address: 23364 Customer Number Phone: (703) 683-0500</p>		<div style="display: flex; justify-content: space-between;"> <div> <b>7. Total Fee:</b> (37 CFR 3.41)         </div> <div style="border: 1px solid black; padding: 5px;"> <b>\$40.00</b> </div> </div> <p><input checked="" type="checkbox"/> Enclosed  <input type="checkbox"/> Authorized to be charged to deposit account</p> <p><b>8. Deposit Account Number:</b> 02-0200  <small>ATTACH DUPLICATE COPY OF THIS PAGE IF PAYING BY DEPOSIT ACCOUNT</small></p>	
<b>DO NOT USE THIS SPACE</b>			
<b>9. Statement and Signature:</b> <p style="text-align: center;"><i>To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.</i></p> <div style="display: flex; justify-content: space-between;"> <div> <p>Felix J. D'Ambrosio</p> <p>Name of Person Signing</p> </div> <div style="text-align: center;">         Signature     </div> <div> <p>August 25, 2008</p> <p>Date</p> </div> </div> <p style="text-align: right;">Total number of pages including cover sheet, attachments and document: 2</p>			

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ATTORNEY/DOCKET NO: MICH3006/FJD

**ASSIGNMENT BY INVENTOR(S) OF U.S. APPLICATION**

WHEREAS, I am the original, first and sole inventor and I own (if only one name is listed below) or an original, first and joint inventor and the joint inventors own (if plural names are listed below) (referred to as "ASSIGNOR" below) the subject matter which is claimed and for which a patent is sought on the invention (referred to as the "INVENTION" below) entitled:

Title: Method and apparatus for optimizing emission in pulse echo methods

the specification of which (check one):

- ☐ is executed on even date herewith.
- ☒ was filed on (day-month-year) 19/06/2006 as U.S. Application Number 10/583,357
- ☒ was filed on (day-month-year) 14/12/2004 as PCT Application Number PCT/EP2004/053459
- ☐ was executed on the following date(s) (day-month-year)

WHEREAS, Endress+Hauser GmbH+Co. KG

having a postal address of Hauptstraße 1, D-79689 Maulburg, Germany

(referred to as "ASSIGNEE" below) desires to acquire the entire right, title and interest in and to the same in the U.S.;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, ASSIGNOR, by these presents does sell, assign and transfer unto ASSIGNEE, the entire right, title, and interest in and to said INVENTION and application throughout the United States of America, including any and all patents granted on any division, continuation, continuation-in-part and reissue of said application.

ALSO, ASSIGNOR hereby agrees to execute any documents that legally may be required in connection with the filing, prosecution and maintenance of said application or any other patent applications in the United States for said INVENTION, including additional documents that may be required to affirm the rights of ASSIGNEE in and to said INVENTION, all without further consideration. ASSIGNOR also agrees, without further consideration and at ASSIGNEE's expense, to identify and communicate to ASSIGNEE at ASSIGNEE's request documents and information concerning the INVENTION that are within ASSIGNOR's possession or control, and to provide further assurances and testimony on behalf of ASSIGNEE that lawfully may be required of ASSIGNOR in respect of the prosecution, maintenance and defense of any patent application or patent encompassed within the terms of this instrument. ASSIGNOR's obligations under this instrument shall extend to ASSIGNOR's heirs, executors, administrators and other legal representatives.

ALSO, ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all patents referred to above to ASSIGNEE, as the ASSIGNEE of the entire right, title and interest in and to the same, for ASSIGNEE's sole use and behoof; and for the use and behoof of ASSIGNEE's legal representatives and successors, to the full end of the term for which such patent may be granted, as fully and entirely as the same would have been held by ASSIGNOR had this assignment and sale not been made.

ASSIGNOR authorizes any member of the firm of Bacon & Thomas, PLLC to insert or complete any information in this document needed to effect its recordal in the U.S. Patent and Trademark Office.

Full Name of First or Sole Inventor Bernhard MICHALSKI	Post Office Address Felix-Platterweg 5, D-79689 Maulburg, Germany
Citizenship German	Residence (city, and either state or foreign country, MPEP §605.02) Maulburg, Germany
Date 17.07.06	Signature <i>Bernhard Michalski</i>

☐ See following page(s) for additional joint inventors.

(06Nov2001)